

2005-06 HONOLULU CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the purpose of the proposed charter amendment; include a description of the problem the proposal would address and how the proposal would address the problem:
 - a. A proposal relating to the Honolulu City Council's power to reject Salary Commission recommendations.
 - i. The Salary Commission is an independent panel with the responsibility to investigate and recommend salaries for all elected officials, and for many of the city's appointed officials. Their work includes analyzing salaries within the state, looking at increases over time and developing comparisons to other jurisdictions, as well as assessing current salaries against various other relevant benchmarks. As they are an independent commission tasked with sole responsibility of determining appropriate salary levels for city officials it is not necessary for the Council to have the power to reject the actions of the Commission.
 - ii. This proposal is intended to remove the City Council's power to reject the recommendations by the Salary Commission. The Salary Commission is an independent commission with the responsibility of establishing the salaries of all elected officials, including the mayor, councilmembers, and the prosecuting attorney, and the salaries of the following appointed officials: the managing director, the deputy managing director, department heads, deputy department heads, and the band director. Because the Salary Commission is an independent commission, it is not necessary for the City Council to have the power to reject any action by the Commission.
2. If applicable, list the charter provision(s) proposed to be deleted or amended:
 - a. Section 3-122, Revised Charter of Honolulu 1973, as amended.
 - b. This proposal deletes a provision related to the Salary Commission findings. Currently, the Salary Commission's recommendations can be rejected by a three-quarters vote of the council's entire membership. This amendment would delete that provision so that the Salary Commission's recommendations would stand without possible rejection by the Council.

"2 The commission shall convene annually no later than the first day of February, and shall, after public hearing, establish salaries and salary schedules no later than the first day of May subsequent thereto, said salaries and salary schedules to be effective prospectively from the first day of the fiscal year subsequent to their adoption by the commission. The commission may meet at other times during the year pursuant to its own rules, but may alter salaries and salary schedules no more than once annually. Any action of the commission altering salaries shall be by resolution accompanied by findings

of fact. Said resolution shall be forwarded to the mayor and the council, [but shall take effect without their concurrence sixty calendar days after its adoption unless rejected by a three-quarters vote of the council's entire membership. The council may reject either the entire resolution or any portion of it.]*"

3. If the proposal is based on a provision or provisions in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s):
 - a. Kauai County Charter (2002) Sections 3.06, 7.03, 8.06, 29.01 and 29.02
 - b. Maui County Charter (2003) Sections 3-6, 7-4, and 8-17.1
 - c. Hawaii County Charter (2000) Section 13-28
4. If the proposal is based on any written materials you have, please attach a copy with citation to its source.
 - a. Council Communication No. 39 (2005) (CC39). Letter to Mr. Donn Takaki, Chair, Charter Commission, from Councilmember Barbara Marshall dated March 16, 2005; including the proposal relating to the council's power to reject Salary Commission recommendation.
5. Attach the text of the proposed Charter amendment in Ramseyered format:
 - a. Section 3-122, Revised Charter of Honolulu 1973, as amended, is amended by amending paragraph 2 to read as follows:
 2. The commission shall convene annually no later than the first day of February, and shall, after public hearing, establish salaries and salary schedules no later than the first day of May subsequent thereto, said salaries and salary schedules to be effective prospectively from the first day of the fiscal year subsequent to their adoption by the commission. The commission may meet at other times during the year pursuant to its own rules, but may alter salaries and salary schedules no more than once annually. Any action of the commission altering salaries shall be by resolution accompanied by findings of fact. Said resolution shall be forwarded to the mayor and the council, [but shall take effect without their concurrence sixty calendar days after its adoption unless rejected by a three-quarters vote of the council's entire membership. The council may reject either the entire resolution or any portion of it.]*

*Material to be added is underscored. Material to be deleted is bracketed.